

ZB# 73-16

David & Shirley Byrd

(no SBL given)

73-16- Byrd, Shirley + David

Public Hearing
June 4th

8 p.m.

All fees paid

OC PD - 100.

file

Filed
6/28/73
1:30 PM
DZ

GENERAL RECEIPT

1368

Town of New Windsor, N. Y.

Received of David Byrd May 11, 1973
Fifteen and 00/100 Dollars

For Assessors Certified Copy for Byrd property
Holeman Road

DISTRIBUTION

FUND	CODE	AMOUNT

Town Clerk
TITLE

BY Dorothy O. Simley Deputy

**PUBLIC NOTICE
OF HEARING BEFORE
THE ZONING BOARD OF AP-
PEALS**

PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the
Town of New Windsor, New York
will hold a public hearing pursuant
to Section 48-33-A of the Zoning
Ordinance on the following proposi-
tion:

Appeal No. 16
Request of Shirley & David Byrd
for a Variance of the regulations
of the Zoning Ordinance to permit
the sale of antique furniture &
accessories on premises, being a
Variance of Article III, Section
48-6 (5), for property owned by
him situated as follows: located
on Toleman Road at premises of
Shirley & David Byrd, Town of
New Windsor, N. Y.

SAID HEARING will take place
on the 4th day of June, 1973,
at the New Windsor Town Hall,
555 Union Avenue, New Windsor,
N. Y. beginning at 8 o'clock P. M.

FRED WYGANT

Chairman
By: PATRICIA DELIO

Secy

May 26

State of New York

County of Orange, ss:

Olga Trachewsky

she , being duly sworn deposes and
says that he is Principal Clerk

of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News.
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published

One Time

..... 26th
in said newspaper, commencing on the.....day of

May A.D., 1973 , and ending on
the 26th day of May A.D., 1973

Subscribed and sworn to before me this

29th day of May 1973

.....
Notary Public of the State of New York, County of Orange.

MY COMMISSION EXPIRES MARCH 30, 1975

Adopted 12/20/65

3 Cop

APPLICATION FOR VARIANCE

Application No. 73-16.

Date: _____

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) Shirley and David Byrd of Toleman Rd
(Street & Number)
Washingtonville New York HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

- A. Location of the Property Toleman Rd
(Street & Number) (Zone)
- B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) _____
- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:
1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: The only structure on this land is a 1765 stone & frame house situated on slightly more than 2 acres of land. The house is unique to its surroundings there being none like it on Toleman Rd. The facade of the house will remain in its present form, in relation to its neighbors.
 2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: The house has superfluous rooms for our (2) personal use (they are only being used for storage of extra antique furnishings). On the two acres of land there would be ample parking areas. In no manner would the structure or its surroundings be changed physically or aesthetically.
 3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: I, Shirley Byrd am a Professional Reg Nurse. Because of an injury I am no longer able to work at my profession. In order to remain in my home, I need a source of income. This historical house lends itself naturally to antique furnishings. A retail shop from within the home would be, in my opinion, tasteful. The only indication of a shop being a simple sign.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: The exterior

of the house & grounds will remain the same. We would continue in our efforts to preserve the aesthetic qualities as they exist.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: The house &

grounds are as well above the required amount of land presently needed in this zone - and we could thus use our land for more rewardingly.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate. (Sketch attached)

The ground floor, first floor & possibly hallway, would hold authentic antique articles for sale. There would be a small sign posted listing "Antiques" & excluding regular business hours. Ample parking area on the property would be provided. The articles for sale would be in keeping with the physical house.

- E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: May 25 1973

Shirley Byrd David K. Byrd
Signature of Applicant

STATE OF NEW YORK) SS.:
COUNTY OF ORANGE)

Sworn to on this _____ day of _____, 19__.

Address _____

(Notary Public)

Telephone Number _____

(DO NOT WRITE IN THIS SPACE)

Application No. 73-16
Date of Hearing June 4, 1973
Date of Decision "

Date Received May '73
Notice Published "

DECISION:

Granted

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE 5/2/73

APPLICATION is hereby made for the following:

Agenda _____ Service _____

- ✓ 1. Name Shirley H. Byrd and Ward L. Byrd
Address Toleman Road, Washingtonville, NY 10992
Telephone number 496-7201

Are you the owner of the property? Yes

- ✓ 2. Briefly describe intention (or attach) and location of property:
Three rooms within house to contain fine quality antique furniture and accessories for sale. Modestly + tastefully advertised. Said property on Toleman Rd. see attached sheet. Said house to remain as one family dwelling.
3. PLANNING BOARD

_____ Site Plan Preliminary Meeting
_____ Subdivision Preliminary Meeting
_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map
7:30 May 7th agenda Variance (Notify P/B -plans if necessary)
_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed
_____ Z.B.A. action needed
_____ Site plan needed
_____ Subdivision approval needed
_____ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of New

Agenda

Service

✓ 1. Name Shirley H. Byrd and David L. Byrd
 Address Toleman Road, Washingtonville, NY 10992
 Telephone number 496-7201

Are you the owner of the property? Yes

✓ 2. Briefly describe intention (or attach) and location of property:

Three rooms within house to contain fine quality antique furniture and accessories for sale. Modestly + tastefully advertised. Said property on Toleman Rd. see attached sheet. Said house to remain as one family dwelling.

3. PLANNING BOARD

Site Plan Preliminary Meeting

Subdivision Preliminary Meeting

Informational Meeting

AGENDA DATE

4. ZONING BOARD OF APPEALS

Interpretation of Ordinance or Map

7:30 May 27th agenda

Variance (Notify P/B -plans if necessary)

Informational meeting

AGENDA DATE

5. BUILDING PERMIT

Planning Board action needed

Z.B.A. action needed

Site plan needed

Subdivision approval needed

Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed:

David L. Byrd
Shirley H. Byrd
 (APPLICANT)

hearing June 4th 9:00 a.m. NO O.C.P.D.

8:00 P.M. 6/4/73 (Byrd Public Hearing)

NAME	Address
Edut Diagine	Woodch mt. Rd Washingtonville N.Y.
Mrs. Mrs. D Byrd	Tolman Rd. Washingtonville N.Y.
WIZ Clark	Stewart Citizen
Richie Marchi	343 Windsor Hwy New Windsor, N.Y. 12550
Milton L. Bay	Tolman Road, Washingtonville N.Y.

Dear Mrs Delio,

I had 9 copies
of newspaper article
of Lerched & sent to
the neighbors involved.
They are on their way
post marked today 5/25/73.
They were sent Certified.

I have the receipts
& will present them at the
hearing.

I realize there is an
additional charge for
placing the ad in
the paper.

I can reimburse you
at the meeting, or you
can drop me a note -
I hope everything is
here.

Thank you for your most
gracious help.

Shirley Byrd.

April 22, 1993

Dear Sir:

I would like to open a small Antiques shop in my own home. I have no outside Buildings

I reside on Toleman Road, Washingtville, town of New Windsor.

I would greatly appreciate any information needed concerning this matter.

Respectfully Submitted.

Shirley H. Byrd.

Toleman Rd, Washingtville
241

Tel: 496-7201



OFFICE OF THE BUILDING & ZONING INSPECTOR
TOWN OF NEW WINDSOR

Howard R. Collett
555 Union Avenue
New Windsor, New York 12550
(914) 565-8308

April 30, 1973

Ms. Shirley H. Byrd
Toleman Road
Washingtonville, New York 10992

Dear Ms. Byrd:

In reply to your letter of April 22 requesting information needed to open an Antique Shop in your home.

The area in which you live is zoned one family residential (RA) and a retail shop is not a permitted use.

In order for you to operate an Antique Shop, it would be necessary to obtain a variance of the Zoning Ordinance from the Zoning Board of Appeals.

Enclosed is a form required to be submitted to this office in order to be placed on the agenda of the Zoning Board of Appeals.

Very truly yours,

HOWARD R. COLLETT
Building & Zoning Inspector
Town of New Windsor

HRC/pk
enc.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

May 11, 1973

Mr. & Mrs. David L. Byrd
Toleman Road
Washingtonville, New York 10992

Dear Mr. & Mrs. Byrd:

According to my records the attached list of property owners are within the five hundred (500) feet of the property in question.

The charge for this service is \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

Ellsworth E. Weyant

ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk
att.

1 copy



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Gegerson, Harry J.
113 Erie Avenue
Atlantic Beach, New York

Fennessey, Ella M.
Washingtonville, New York

Marlil Holding Inc.
76 West Main Street
Washingtonville, New York

Meore, Paul & Margaret
Toleman Road
Washingtonville, New York

Day, Richard & Norma
Toleman Road
Rock Tavern, New York 12575

Kania, Peter S. & Frances M.
Toleman Road
Washingtonville, New York 10992

Miller, Daniel J. & Carol Anne
Toleman Road
Washingtonville, New York 10992

Race, William L.
Toleman Road
Washingtonville, New York 10992

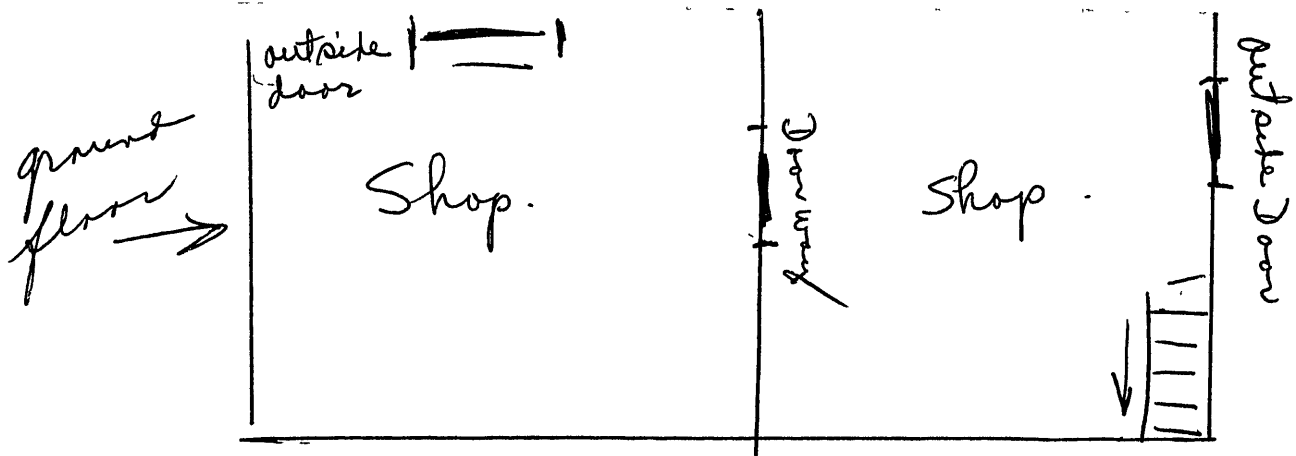
Yurick, Michael
33-1429th Street
Astoria, New York

Respectfully submitted,

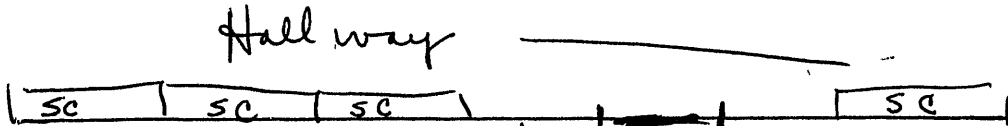
Ellsworth E. Weyant

ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk

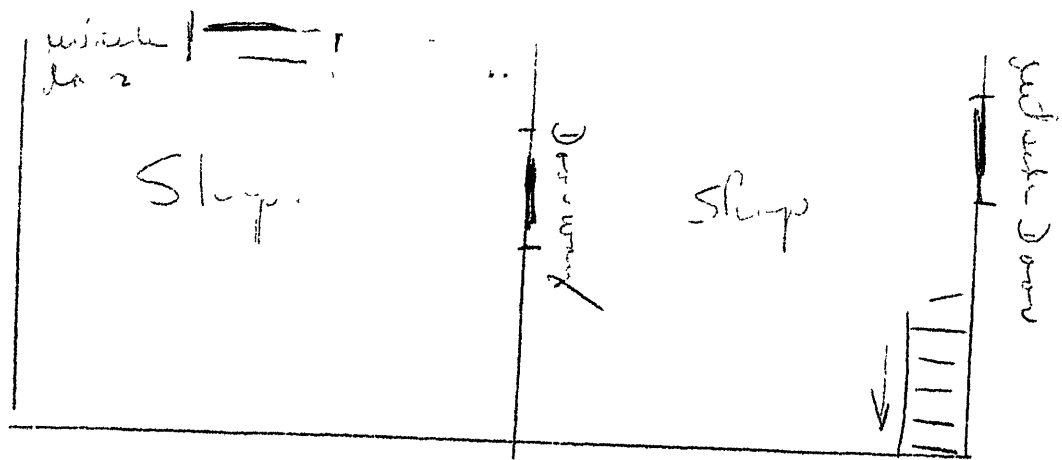


Shallow = 5
Cabinets = C



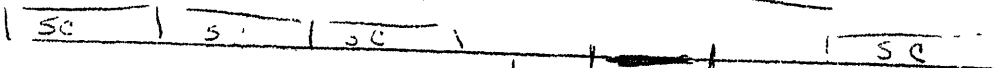
1st floor

Ground Floor →



Shower - S
Kitchen T & C

Hallway



First Floor →

